

*File - JFW*

16 September 1957

MEMORANDUM FOR: Mr. Warner

SUBJECT: Inter-Agency Arrangements for Reproduction of Intelligence Information

1. I have looked over the attached paper in the light of E.O. 10501, per your request. I have also discussed the matter with [redacted]. In essence this paper will permit the duplication by member agencies for themselves or for each other of only that material which has been generally disseminated to the member agencies. There will be no violation of the so-called "Third Agency Rule."
2. Section 7 of the Executive Order in conjunction with Section 102 of the National Security Act could very well be interpreted to mean that under 102 we may exceed the standards set by Section 7, that is, that we may disseminate information in violation of the "Third Agency Rule." However, Colonel Moreau states that we adhere strictly to Section 7 and do not disseminate any such information without first obtaining permission of the issuing agency.
3. With respect to the Minicard machine [redacted] states that this machine, the purchase of which has been approved, is being tested in Rochester, New York, and will be delivered in the near future for tests by us. This machine will be used solely for material which is being properly given wide distribution on a routine basis and can rapidly produce as many as 40,000 copies of such things as State Department reports, routine intelligence summaries, etc. It will not be used at any time for any material which might violate the "Third Agency Rule" and the member agencies have agreed that they will place a warning stamp on such material to prevent its being used in the Minicard system.
4. [redacted] stated that the staff study is really unnecessary since it is merely a continuation of a practice which has been in effect in the past. He said the <sup>study</sup> ~~study~~ caused because some officials "higher up" became concerned about the dissemination to other agencies of certain intelligence reports which are merely routine. In other words, [redacted] said he felt that it was merely "beating the subject to death."
5. I feel therefore that we need have no further concern at this time with this particular subject.

[redacted]  
Office of General Counsel

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o/c 7-1579  
IAC-D-95/4  
10 September 1957

I N T E L L I G E N C E   A D V I S O R Y   C O M M I T T E E

Interagency Arrangements for Reproduction of

Intelligence Information

The attached report, prepared by the IAC Ad Hoc Subcommittee on Information Processing (AHIP), pursuant to direction of the IAC on 25 June 1957, will be placed on the agenda of an early IAC meeting for review and action with respect to the recommendations contained therein.

Secretary

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4 September 1957

MEMORANDUM FOR: Chairman, Intelligence Advisory Committee

FROM : Chairman, IAC Ad-Hoc Sub-Committee on Information Processing

SUBJECT : Inter-Agency Arrangements for Reproduction of Intelligence Information

1. In its discussion of the Second Annual Report of AHIP the IAC asked for further review of "the extent of restrictions or limitations on reproduction of intelligence" by IAC Agencies.

2. AHIP accordingly submits herewith its review of the principal regulations bearing on such reproduction. Also cited, in extension of its Second Annual Report, is paragraph 2 of the complete AHIP agreement which specifies the procedure IAC Agencies may employ to exclude any reproduction whatsoever of sensitive or other limited-dissemination material. TOP SECRET materials are, of course, separately controlled and, therefore, are not affected by this AHIP policy.

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Enclosure:

Memo for Chairman, IAC dated 4 Sept. 1957 - "Reproduction of Material Originated in Another IAC Agency."

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4 September 1957

MEMORANDUM FOR: Chairman, Intelligence Advisory Committee

SUBJECT : Reproduction of Material Originated in Another IAC Agency

Introduction

On <sup>25</sup> June 1957 the Intelligence Advisory Committee noted and approved the following paragraph 2 of the Second Annual Report of the IAC Ad-Hoc Subcommittee on Information Processing as a temporary procedural guide:

"In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member Agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do."

The approval was subject to further review by AHIP and presentation of specific recommendations in this field for consideration by the IAC at a subsequent meeting. In compliance with this direction the following Staff Study is submitted:

1. Problem

a. New machine techniques and equipment for the handling of large masses of intelligence data are now coming into use. The Killian Committee and other groups have recommended that every effort be made to adapt the most advanced types of equipment to the needs of intelligence. New devices and systems are being developed each year for the purposes of information storage, retrieval, and computation, and each year will see more of them in use in the IAC community.

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b. All these new types of equipment involve extensive reproduction of the data which are fed into them. In many types the raw data must first be coded and then handled electronically or magnetically in numerical or binary digital form. In others the data are reproduced photographically, and this is most notably the case with the Muxcard system which is now being installed in AFMIB and CIA. Each agency which makes use of advanced equipment will be required to reproduce reports originated by other agencies of the IAC community and, unless blanket permission is granted in advance, the resulting procedures will be cumbersome and impractical to implement.

## 2. Facts Bearing Upon the Problem

a. Executive Order 10501, Safeguarding Official Information in the Interests of the Defense of the United States, in Section 7, Accountability and Dissemination, reads as follows:

"Knowledge or possession of classified defense information shall be permitted only to persons whose official duties require such access in the interest of promoting national defense and only if they have been determined to be trustworthy. Proper control of dissemination of classified defense information shall be maintained at all times, including good accountability records of classified defense information documents, and severe limitation on the number of such documents, originated as well as the number of copies thereof reproduced. The number of copies of classified defense information documents shall be kept to a minimum to decrease the risk of compromise of the information contained in such documents and the financial burden on the Government in protecting such documents. The following special rules shall be observed in connection with accountability for and dissemination of defense information or material:

.....

"(c) Information Originating in Another Department or Agency:

"Except as otherwise provided by section 102 of the National Security Act of July 26, 1947, c. 343, 61 Stat. 498, as amended 50 U.S.C. sec. 403, classified defense information originating in another department or agency shall not be disseminated outside the receiving department or agency without the consent of the originating department or agency. Documents and material containing defense information which are classified Top Secret or Secret shall not be reproduced without the consent of the originating department or agency."

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b. Section 102 of the National Security Act reads in part:

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"(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council ----

.....

"(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities."

.....

c. A Working Group on Reproduction Needs of Advanced Equipment for Information Storage and Retrieval was designated by the Ad Hoc Sub-Committee on Information Processing. An extract from the Final Report of that Working Group dated 10 July 1956, Subject: Minicard and the Application of the "Third Agency Rule" is as follows:

"In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member Agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do.

"In order to continue to safeguard all sensitive or other limited-dissemination material falling within the spirit of the "Third Agency Rule", the member agencies are agreed among themselves that such material will bear a special warning stamp which will exclude its reproduction into the Minicard or any other cooperative data handling system at all times."

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The Department of State in a memorandum dated 8 October 1956, Subject: "Authorization for IAC Agencies to Reproduce Certain State Department Documents", accepted the proposal and added the following proviso covering the reproduction of documents:

- "1. That each IAC agency maintain a separate record of the SECRET documents and another of the documents of lower security classification which it reproduced for its own or for the use of the other IAC agencies. These records should not only identify the documents reproduced but should also specify the date and the number of copies reproduced and their distribution outside the reproducing agency.
- "2. That copies of these records be submitted for the information of the Department on a monthly basis."

d. A copy of Department of State "Administrative Circular No. 122 dated June 14, 1957" implementing this agreement is attached.

### 3. Discussion

a. Executive Order 10501 Section 7, (c), implies recognition of an exception regarding the dissemination and reproduction of classified defense information originating in another department or agency by the Central Intelligence Agency. In the past the Agency has followed the practice of obtaining the consent of the originating Agency prior to dissemination of that material to another department or agency. Such material has been microfilmed in order to accomplish the initial supply and subsequent retrieval necessary for intelligence production. Recognition of the ability to retrieve rapidly is evidenced by the large number of requests for the interchange of copies of documents by members of the community.

b. It is evident from the tenor of the National Security Act of 1947, the Executive Order 10501, and the NSCID's that there should be a free and continuing interchange of intelligence and information within the Intelligence Community.

c. To accomplish this in a dexterous manner requires that all the IAC Member Agencies be able to reproduce and disseminate the intelligence and information in their respective files as necessary in the interests of the national defense.

d. It should be noted that Executive Order 10501, Section 7, (c) requires the consent of the originating agency when reproducing Top Secret and Secret material, thus implying that there is no prohibition of reproduction of Confidential material, Administratively Controlled material or Unclassified material.

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4. Recommendations

a. That the IAC approve as permanent procedure the AHIP agreement as set forth in its Second Annual Report and restated below as 1.

b. That the paragraph shown below as 2 be included in the approval of this policy:

1. "In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do."
2. "In order to continue to safeguard all sensitive or other limited-dissemination material falling within the spirit of the "Third Agency Rule", the member agencies are agreed among themselves that such material will bear a special warning stamp which will exclude its reproduction into the Minicard or any other co-operative data handling system at all times."



Chairman, AHIP

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Attachment

Dept. of State copy of "Administrative Circular No. 122 dated June 14, 1957"

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Next 3 Page(s) In Document Exempt

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OGC 7-1199

<b>TRANSMITTAL SLIP</b>		DATE
TO: Mr. John Warner, OGC		
ROOM NO. 221	BUILDING	
REMARKS:		
<p>25X1</p> <p>The attached unclassified [redacted] is sent you at the request of [redacted] of your office. Portions of paragraph 2, added by OGC at the request of the DDCI, have been incorporated in the attached retyped draft. No coordination whatever has been effected by Regulations Control Staff on the new material.</p> <p>25X1</p> <p>[redacted]</p> <p>25X1</p>		
FROM: Acting Chief, Regulations Control Staff		
ROOM NO. 551	BUILDING	EXTENSION

UNCLASSIFIED CONFIDENTIAL SECRET  
(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)

CENTRAL INTELLIGENCE AGENCY  
OFFICIAL ROUTING SLIP

TO		INITIALS	DATE
1	Deputy Director (Support)		
2			
3			
4			
5			
FROM		INITIALS	DATE
1	Acting General Counsel		8/27/57
2			
3			

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> INFORMATION	<input type="checkbox"/> SIGNATURE
<input type="checkbox"/> ACTION	<input type="checkbox"/> DIRECT REPLY	<input type="checkbox"/> RETURN
<input type="checkbox"/> COMMENT	<input type="checkbox"/> PREPARATION OF REPLY	<input type="checkbox"/> DISPATCH
<input type="checkbox"/> CONCURRENCE	<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> FILE

Remarks: We have again changed page 2 to meet points raised by you on 27 August 1957.

John S. Warner

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